IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION

Dated : Nainital the 17th day of August 2005

Criminal Bail Application No.787/2005

Order on the bail application of accused

CRIMINAL SIDE

Jaane Alam S/o Sri Kalua
R/o Dhakia Biru
P.S. Dilari
District Moradabad (U.P.) ….. Applicant

Versus

State of Uttaranchal ….. Opposite Party

Arising out of case crime No.515/2005
U/s 5 of Explosive Substances Act
P.S. Kathgodam
District – Nainital

Hon'ble J. C. S. Rawat, J.

Heard Sri Vipul Sharma learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. It was pointed out that the applicant was arrested on 24.3.2005. According to the prosecution version, the applicant fired upon the police party, however, no injury was caused to the police party and he was enlarged on bail. It was further contended that the applicant was again shown to be arrested on 27.3.2005 from the same place. It was contended that the recovery is false. Perusal of the report reveals that the alleged bomb contains the pieces of sulphur & potassium. The bomb was examined by the bomb-squad on 12.5.2005 after a lapse of 50 days. Considering the facts and totality of the circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

Dated 17.08.2005 **(J.C.S. Rawat, J.)**

LSR